



**COUNTY OF LOS ANGELES**  
**DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

**GAIL FARBER, Director**

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

October 05, 2010

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

35 OCTOBER 5, 2010

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION  
FOR STORM DRAIN EASEMENT NORTH OF BLUFF CREEK DRIVE  
CITY OF LOS ANGELES  
(SUPERVISORIAL DISTRICT 2)  
(3 VOTES)**

**SUBJECT**

This action will allow the County of Los Angeles to vacate an easement for storm drain purposes, north of Bluff Creek Drive, in the City of Los Angeles, which is no longer needed for public use. The vacation has been requested by PSOMAS, on behalf of the underlying fee owner, Lincoln Property Company, to permit the development of an office building and parking structure.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for storm drain purposes, north of Bluff Creek Drive, has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation, and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.
3. Find that the easement for storm drain purposes, north of Bluff Creek Drive, has been determined to be excess by the easement holder, the County of Los Angeles, and there are no other public facilities located within the easement, and that it may, therefore, be vacated pursuant to Section 8333(c) of the California Streets and Highways Code.

4. Adopt the Resolution of Summary Vacation.

5. Upon approval, authorize the Department of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar-Recorder/County Clerk.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to find that the project is exempt from the California Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate the easement for storm drain purposes (Easement), north of Bluff Creek Drive, in the City of Los Angeles, since it no longer serves the purpose for which it was dedicated and is not required for public use.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's possible future exposure to liability.

#### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The vacation of the Easement will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,500 fee to defray the expense of the investigation. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code. This amount has been paid and deposited into the Road Fund.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The area to be vacated contains approximately 7,827 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8333 provides "The legislative body of a local agency may summarily vacate a public service easement in any of the following cases:

(a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; (c) The easement has been superseded by relocation or determined to be excess by the easement holder, and there are no other public facilities located within the easement."

The County's interest in the Easement was acquired in 1942 by dedication in Tract No. 12672, recorded in Book 250, pages 28 and 29, of Maps, in the office of the Los Angeles County Registrar-Recorder/County Clerk as an easement for storm drain purposes.

PSOMAS, on behalf of the underlying fee owner Lincoln Property Company, requested the vacation of the Easement to permit the development of an office building and parking structure. The vacation of the Easement provides an additional buildable area.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easement. Your action will result in the property being unencumbered by the Easement and available to the property owner for use without restriction of the easement.

### **ENVIRONMENTAL DOCUMENTATION**

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines which state that this class of projects consisting of minor alterations in land use, limitations and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action will allow for additional property taxes through the vacation of the unnecessary storm drain easement.

### **CONCLUSION**

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER  
Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset  
Management)  
Chief Executive Office  
County Counsel  
Executive Office

**RESOLUTION OF SUMMARY VACATION  
STORM DRAIN EASEMENT NORTH OF BLUFF CREEK DRIVE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES  
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for storm drain purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement, north of Bluff Creek Drive, is located in the City of Los Angeles in the County of Los Angeles, State of California.
2. The Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easement has been determined to be excess, and there are no other public facilities located within the easement.
4. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.
5. The Department of Public Works is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will no longer be a public easement.
6. From and after the date this resolution is recorded, the Easement will no longer constitute a public service easement.

The foregoing resolution was on the 5<sup>th</sup> day of October, 2010, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN  
County Counsel

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By Julia Weissman  
Deputy

By [Signature]  
Deputy

JLS:mr

P:\mpublic\admin\maria\resolution\bluff creek dr.doc



## EXHIBIT A

Project Name: **DRAINAGE EASEMENT  
NORTH OF BLUFF CREEK  
DRIVE 1-1VAC**  
A.I.N. 4211-010-061, 062 & 063  
T.G. 672-F7  
I.M. 099-157  
R.D. City of Los Angeles  
S.D. 2  
M0988105

### LEGAL DESCRIPTION

#### PARCEL NO. 1-1VAC (Vacation of drainage easement):

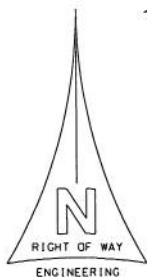
That portion of that certain 80-foot wide strip of land shown as easement to the County of Los Angeles for Storm Drain purposes, on map of Tract No. 12672, recorded in Book 250, pages 28 and 29, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, lying within those portions of Lots 5, 6, and 7 of Tract No. 52092, filed in Book 1236, pages 56 to 63, inclusive, of said Maps.

Containing: 7827± square feet.

|   |
|---|
| APPROVED AS TO DESCRIPTION                    |
| <u>September 1, 2010</u>                      |
| COUNTY OF LOS ANGELES                         |
| By <u>[Signature]</u>                         |
| SUPERVISING CADASTRAL ENGINEER III            |
| Survey/Mapping & Property Management Division |

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

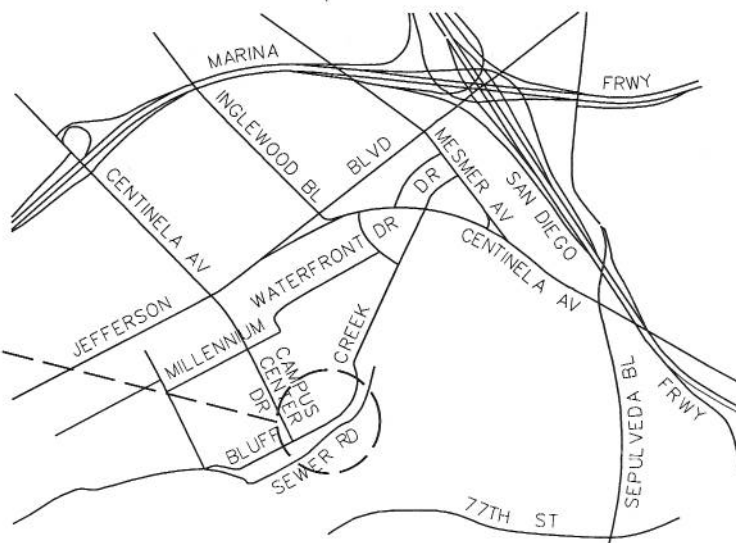




## EXHIBIT B

**SUBJECT  
LOCATION**

WITHIN CITY OF LOS ANGELES



### LEGEND



Proposed drainage  
easement to be vacated  
Total Area = 7827± s.f.

### REVISIONS

|    |    |    |
|----|----|----|
| 1. | 2. | 3. |
|----|----|----|

DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD.  
2

RD.

A.I.N.  
4211-010-061,  
062 & 063

T.G.  
672-F7

DRAINAGE EASEMENT  
NORTH OF  
BLUFF CREEK DRIVE

DRAWING NO.  
M0988105

SCALE  
NONE

DATE  
9-10-08

I.M.  
099-157